IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

JEROME ROBERT POSEY,)	
Plaintiff,)	
V.)	1:12CV298
MR. WAYNE TALBERT,)	
Defendant(s).)	

ORDER

The Recommendation of the United States Magistrate Judge was filed with the court in accordance with 28 U.S.C. § 636(b) and, on May 4, 2012, was served on the parties in this action. No objections were filed within the time limits prescribed by § 636.

The court hereby adopts the Magistrate Judge's Recommendation.

IT IS THEREFORE ORDERED that this action is filed and dismissed *sua sponte* without prejudice to Plaintiff filing a new complaint, on the proper § 1983 forms, and correcting the defects cited in the Magistrate Judge's Recommendation, after Plaintiff has exhausted his administrative remedies as to his claims. A Judgment dismissing this action will be entered contemporaneously with this Order.

United States District Judge

Date: June 4, 2012